

EXHIBIT E

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF MASSACHUSETTS

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4 IN RE: : Civil Action
5 : No. 01-12257-PBS
6 PHARMACEUTICAL INDUSTRY : Courtroom No. 19
7 AVERAGE WHOLESAL PRICE : 1 Courthouse Way
8 LITIGATION : Boston, MA 02210
9 : 10:00 a.m., Tuesday
10 : July 3, 2007
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12 HEARING

13 Before: THE HONORABLE PATTI B. SARIS,
14 UNITED STATES DISTRICT JUDGE

15 APPEARANCES:

16 Hagens Berman Sobol Shapiro LLP, (by Steve W. Berman, Esq.)
17 1301 5th Avenue, Seattle, WA 98101-1090,
18 on behalf of the Plaintiffs.

19 Hagens Berman Sobol Shapiro LLP,
20 (by Edward Notargiacomo, Esq.),
21 One Main Street, Cambridge, MA 02142,
22 on behalf of the Plaintiffs.

23 The Haviland Law Firm, LLC, (by Donald E. Haviland, Esq.)
24 740 S. Third Street, Philadelphia, PA 19112,
25 on behalf of the Plaintiffs.

Hogan & Hartson, (by Steven J. Edwards, Esq. and Lyndon M.
Tretter, Esq.), 875 Third Ave., New York, NY 10022,
on behalf of the Defendant Bristol-Myers Squibb.

26 Marie L. Cloonan
Federal Court Reporter
1 Courthouse Way - Room 7200
Boston, MA 02210- 617-439-7086
Mechanical Steno - Transcript by Computer

1 after the opinion.

2 THE COURT: And, would that include the
3 federal government and the state?

4 MR. BERMAN: It would not.

5 THE COURT: It would not. See, so they still
6 have that exposure out there. That's their issue.
7 Right?

8 MR. BERMAN: Correct.

9 MR. EDWARDS: I think one of the issues here,
10 your Honor, is these companies are very independent
11 companies. And, the plaintiffs, the states, are also
12 very independent. And, the law firms representing the
13 plaintiffs in all of these cases don't always see eye to
14 eye.

15 THE COURT: And, I certainly understand that.
16 I mean, one of the -- most of this litigation has been
17 tried on the so-called crosscutting issues. But,
18 really, when it came down to it, for me, it was not only
19 company by company, but drug by drug, NDC by NDC, and
20 even -- and year by year. So, it's incredibly time
21 intensive for me.

22 I probably dealt with most of what I'll call
23 the crosscutting issues. But, of course, other
24 defendants have the right to say I was wrong and ask me
25 to reconsider it because they haven't been actually